

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 13, 2006**

AGENDA ITEM NO.: 8

CONSENT:

REGULAR: **X**

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **CONDITIONAL USE PERMIT (CUP) – Traditional Neighborhood Development (TND) – Cornerstone, 1207 and 1226 Greenview Drive.**

RECOMMENDATION: Approval of the requested Conditional Use Permit.

SUMMARY: JBO, LLC is petitioning for a Conditional Use Permit at 1207 and 1226 Greenview Drive to allow the construction of a Traditional Neighborhood Development on a tract of approximately one hundred and thirteen (113) acres. The submitted master plan and design guidelines propose the creation of a new mixed use community including a commercial core, multi-family housing, single-family attached and detached housing, park areas, civic uses and open space. The Planning Commission recommended approval of the Conditional Use Permit because:

- Petition agrees with the Comprehensive Plan which recommends a Mixed Use Development for the property.
- Petition agrees with the Zoning Ordinance in that a TND is a permitted use in an R-1, Single-Family Residential District upon approval of a Conditional Use Permit by the City Council.
- The Design Review Board determined the objectives of Section 35.1-43.5b of the Zoning Ordinance have been met by the proposed development.

PRIOR ACTION(S):

- May 24, 2006: Planning Division recommended approval of the conditional use permit.
Planning Commission recommended approval (6-1) of the conditional use permit with the following conditions:
1. The property shall be developed in substantial compliance with the submitted master plan entitled "Cornerstone" Traditional Neighborhood Development dated April 24, 2006 and prepared by Sympoetica, Community Planners & Designers and Hurt & Proffitt, Inc., Engineers.
 2. The property shall be developed in compliance with the Design, Landscaping & Screening and Architectural Guidelines for the Cornerstone TND dated April 12, 2006 and prepared by Sympoetica, Community Planners & Designers.
 3. The following uses shall require the approval of a conditional use permit by the City Council before being allowed within the Cornerstone Development:
 - a. Veterinarian Hospitals with or without outdoor kennels
 - b. Care Centers, excluding day care centers
 - c. Churches or other places of worship
 - d. Group Homes
 - e. Nursing Homes or Assisted Living Facilities
 - f. Community Swimming Pools
 - g. Commercial Recreation Establishments
 - h. Public or Community Recreational Facilities
 4. Stormwater Management facilities will be integrated into the overall design of the development and design is subject to the approval of the City's Environmental Planner and the Cornerstone Design Review Board.
 5. Water quality will be addressed thru a combination of Best Management Practices (BMP's) and low impact development standards. Design of water quality measures is

subject to approval of the City's Environmental Planner and the Cornerstone Design Review Board.

6. All amenities in the area designated as park on the submitted master plan shall be the responsibility of the developer. All park areas shall be connected to the overall development by a series of trails and or sidewalks. All improvements are subject to approval by the Director of Parks and Recreation.
7. Bicycle and pedestrian connections to Hunterdale Drive and the unnamed stub street located at the northeastern portion of the property shall be made. Right of Way will be reserved for future vehicle access when determined appropriate by the City.

FISCAL IMPACT: N/A

CONTACT(S):

Tom Martin - 455-3909

ATTACHMENT(S):

- Resolution
- Design Guidelines
- PC Report
- PC Minutes
- Vicinity Zoning Pattern
- Vicinity Proposed Land Use
- Site Plan
- Citizen Petition
- Speaker Sign-Up sheet

REVIEWED BY: lkp

RESOLUTION

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO JBO, LLC FOR USE OF THE PROPERTY AT 1207 AND 1226 GREENVIEW DRIVE TO CONSTRUCT A TRADITIONAL NEIGHBORHOOD DEVELOPMENT, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the petition of JBO, LLC, for a Conditional Use Permit for use of the property at 1207 and 1226 Greenview Drive to construct a Traditional Neighborhood Development named Cornerstone on approximately one hundred thirteen (113) acres be, and the same is hereby, approved, subject to the following conditions:

1. The property shall be developed in substantial compliance with the submitted master plan entitled "Cornerstone" Traditional Neighborhood Development dated April 24, 2006 and prepared by Sympoetica, Community Planners & Designers and Hurt & Proffitt, Inc., Engineers.
2. The property shall be developed in compliance with the Design, Landscaping & Screening and Architectural Guidelines for the Cornerstone TND dated April 12, 2006 and prepared by Sympoetica, Community Planners & Designers.
3. The following uses shall require the approval of a conditional use permit by the City Council before being allowed within the Cornerstone Development:
 - a. Veterinarian Hospitals with or without outdoor kennels
 - b. Care Centers, excluding day care centers
 - c. Churches or other places of worship
 - d. Group Homes
 - e. Nursing Homes or Assisted Living Facilities
 - f. Community Swimming Pools
 - g. Commercial Recreation Establishments
 - h. Public or Community Recreational Facilities
4. Stormwater Management facilities will be integrated into the overall design of the development and design is subject to the approval of the City's Environmental Planner and the Cornerstone Design Review Board.
5. Water quality will be addressed thru a combination of Best Management Practices (BMP's) and low impact development standards. Design of water quality measures is subject to approval of the City's Environmental Planner and the Cornerstone Design Review Board.
6. All amenities in the area designated as park on the submitted master plan shall be the responsibility of the developer. All park areas shall be connected to the overall development by a series of trails and or sidewalks. All improvements are subject to approval by the Director of Parks and Recreation.
7. Bicycle and pedestrian connections to Hunterdale Drive and the unnamed stub street located at the northeastern portion of the property shall be made. Right of Way will be reserved for future vehicle access when determined appropriate by the City.

Adopted:

Certified:

Clerk of Council

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission
From: Planning Division
Date: May 24, 2006
Re: **CONDITIONAL USE PERMIT (CUP): Traditional Neighborhood Development (TND) – Cornerstone, 1207 and 1226 Greenview Drive.**

I. PETITIONER

JBO, LLC, 113 Goldenrod Place, Lynchburg, VA 24502

Representative(s): Mr. Mark Borel, JBO, LLC, 113 Goldenrod Place, Lynchburg, VA 24502
Mr. Jeff Allen, JBO, LLC, 113 Goldenrod Place, Lynchburg, VA 24502

II. LOCATION

The subject property is a tract of approximately one hundred twenty three (123) acres located at 1207 and 1226 Greenview Drive.

Property Owner(s): Robert A. & Judy Glass Wooldridge, 1226 Greenview Drive, Lynchburg, VA 24502
HAB Company, LLC, P. O. Box 324 Forest, VA 24551

III. PURPOSE

The purpose of this petition is to allow the construction of a Traditional Neighborhood Development (TND) similar to the existing Wyndhurst Development located on Enterprise Drive. The development as proposed would have a low yield of six hundred fifth (650) residential units and one hundred thousand (100,000) square feet of commercial space with a possible high yield of one thousand (1000) residential units and two hundred thousand (200,000) square feet of commercial space. Both scenarios would dedicate two and one tenth (2.1) acres to civic uses and thirty five and four tenths (35.4) acres to parks, squares or open space. Neither scenario proposes any industrial or manufacturing use.

IV. SUMMARY

- Petition agrees with the Comprehensive Plan which recommends a mixed use development for the area.
- Petition agrees with the Zoning Ordinance in that a TND is a permitted use in an R-1, Single-Family Residential District upon approval of a Conditional Use Permit by the City Council.
- The purpose of the Design Review Board meeting is to determine if the objectives of Section 35.1-43.5b of the Zoning Ordinance have been met; consider the aesthetic and architectural relationships with the surrounding area.

V. FINDINGS OF FACT

- 1. Comprehensive Plan.** The *Comprehensive Plan 2002-2020* recommends a "Mixed Use" for the subject property. These areas do not fit into any single use category as they are planned for a mix of uses carefully designed so as to mitigate any potential land use conflicts. The *Comprehensive Plan* specifically states that the Greenview Planned Development Area (PDA) "should offer a mix of housing types at a maximum residential density of twelve (12) dwelling units per acre. A commercial area should not be required for this PDA, but if requested, it should be small, at the neighborhood or convenience commercial scale, since there are ample commercial areas along Timberlake Road. Traditional Neighborhood Development (TND) principles will apply. Pedestrian/bicycle connections to Timberlake Road should be provided through medium and/or high density residential areas north of Greenview PDA and via the Resource Conservation Area shown on the Future Land Use Map. **(page 4.21)**
- 2. Zoning.** The subject property was annexed into the City in 1976. The existing R-1, Low-Density, Single-Family Residential and R-C, Conservation District zoning was established in 1978 with the adoption of the City's current Zoning Ordinance. Traditional Neighborhood Developments are permitted

uses in these districts upon approval of a Conditional Use Permit by the City Council and provided that the intent and objectives of the Zoning Ordinance are met.

Section 35.1-43.5, Traditional Neighborhood Developments states “it is the intent of the traditional neighborhood development (TND) section to provide opportunities for the creation of new neighborhoods designed along the traditions of small town and urban neighborhood development prevalent in the United States from colonial times until the 1940's. These design traditions created communities that fostered strong connections between people as they lived, worked, shopped, learned, recreated, and worshiped. Because TNDs are tightly knit and incorporate an integrated mix of uses, they do not meet the development standards of the city's existing zones. Therefore, this TND section is provided to offer a flexible set of land use and design regulations based on performance standards that will allow traditional neighborhood development subject to site-specific city review. Where TNDs are deemed appropriate by the city council, all dimensional specifications, setback, buffering, and landscaping requirements, and location of parking facilities and recreation facilities prescribed elsewhere in this ordinance are herein replaced by an approval process in which the approved TND plan and design guidelines become the basis for continuing land use controls”.

Objectives of the Traditional Neighborhood Development Ordinance are discussed in Section 3, Design Review Board, below.

- 3. Design Review Board.** Section 35.1-43.11, Traditional Neighborhood Development Application and Review requires that the proposed development be reviewed by the City's Design Review Board. The Design Review Board must determine if the proposed TND plan meets the following objectives of the TND Ordinance as outlined in Section 35.1-43b of the Zoning Ordinance:

- (1) The design of the neighborhood allows residents to work, shop, and carry out many of life's other activities within the neighborhood.
- (2) A mix of land uses is provided. The proximity of uses allows residents to walk, ride a bicycle, or take transit for many trips between home, work, shopping, and school.
- (3) A variety of housing types is provided at a range of densities, types (multi-family, townhouse, and single-family), and costs. Neighborhoods are heterogeneous mixes of residences in close proximity to commercial and employment uses.
- (4) The neighborhood includes a retail, office, employment, and/or entertainment core to provide economic and social vitality and a major focus and meeting place in the community.
- (5) The circulation system serves many modes of transportation and provides choices for alternative transportation routes. Streets, alleys, and pedestrian and bike paths connect to the surrounding area to the extent possible. Streets and alleys generally follow a grid pattern to provide these route choices and connections. Traffic calming techniques may be used to reduce vehicle speed and increase pedestrian and bicycle safety.
- (6) The overall intensity of development is designed to be high enough to support transit service.
- (7) A system of parks, open spaces, civic, public, and institutional uses is included to create a high quality of life and civic identity for the community.
- (8) The cluster concept is embraced so as to concentrate development in environmentally suitable areas and to preserve and protect important environmental and cultural resources.

The Design Review Board must also consider the aesthetic and architectural relationships of the proposed TND with the surrounding area.

The Design Review Board reviewed the proposed development on April 26, 2006 and attended a tour of the property on May 2, 2006. At its May 2, 2006, the Design Review Board voted 3-0 (with 1 member absent, Hamilton) that the proposed development meets the objectives outlined in the TND Ordinance.

- 4. Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the proposed rezoning.
- 5. Surrounding Area.** The following items have required City Council approval in the immediate area:

06/28/83, City Council approved the Conditional Use Permit petition of Rainbow Church of God at 1227 Greenview Drive to allow the construction of a sanctuary.

11/08/83, City Council approved the rezoning petition of Andrew Ellett to rezone one and two tenths (1.2) acres at 797 and 799 Leesville Road from R-1, Low Density, Single-Family Residential District to B-3, Community Business District (Conditional) to allow the installation of gasoline pumps and the sale of gasoline.

05/14/85, City Council approved the Conditional Use Permit petition of CHA Construction Company off Timberlake Road (Golden Pond) to allow the construction of a recreation center and parking area within the 100 year floodway.

08/12/86, City Council approved the Conditional Use Permit petition of Berean Baptist Church at 1400 Greenview Drive to allow the construction of a church building and parking area.

10/13/87, City Council approved the rezoning petition of Glenn and Jo Anne Carter to rezone three and five tenths (3.5) acres at 794 Leesville Road from R-1, Low-Density, Single-Family Residential District to B-3, Community Business District (Conditional) to allow a nursery expansion.

09/12/89, City Council approved the rezoning petition of Hunter Associates, Inc. to rezone four tenths (0.4) acre at 795 Leesville Road from R-1, Low-Density, Single-Family Residential District to B-1, Limited Business District to allow the construction of an office building.

01/12/93, City Council approved the rezoning petition of Lowes Home Centers, Inc. to rezone sixteen (16) acres at 8208, 8216, 8300, 8308 and 8312 Timberlake Road and 1012 Greenview Drive from B-1, Limited Business District and B-3, Community Commercial District to B-5, General Business District (Conditional) to allow the construction of a home improvement center, restaurant and associated parking.

04/13/99, City Council denied the rezoning petition of Calla Forlines Mounts and Jo Anne Carter to rezone two and six tenths (2.6) acre at 794 Leesville Road and Greenview Drive from R-1, Low-Density, Single-Family Residential District and B-3, Community Business District (Conditional) to B-3, Community Business District (Conditional) to allow the construction of a convenience store.

08/10/99, City Council approved the rezoning petition of Gerald and Deborah Maxey to rezone eight tenths (0.8) acre at 794 Leesville Road from B-3, Community Business District (Conditional) to B-1, Limited Business District (Conditional) to allow a counseling service.

02/13/01, City Council approved the Conditional Use Permit petition of American Legion Post 16 at 1301 Greenview Drive to allow the construction of a building addition.

- 6. Site Description.** The subject property is a tract of approximately one hundred and twenty-three (123) acres located at 1207 and 1226 Greenview Drive. The largest track located at 1226 Greenview Drive (also know as the Wooldridge Farm) is currently being used for agricultural purposes. It contains a two-story residential structure and associated out buildings. The smaller track located at 1207 Greenview Drive is currently vacant land and is adjacent to townhomes located in Campbell County. The property is bordered to the northeast by a single-family neighborhood (Windsor Hills), to the southeast by an institutional use (Berean Baptist Church) to the southwest by a mixture of institutional uses (Tree of Life Ministries, Greenview Church of God and American Legion Post #16) townhomes and single-family residences and to the northwest by commercial, townhomes and single-family residences.

The property is crossed by Dreaming Creek from north to south. A portion of the property adjacent to Dreaming Creek is located within the 100 Year Flood Zone. The property has good topography with the highest elevations being at the southeastern corner and dropping gently to the northwest.

- 7. Proposed Use of Property.** The proposed use of the property is a Traditional Neighborhood Development that would have a range of four hundred (400) to six hundred (600) multi-family units, two hundred (200) to three hundred (300) single-family attached units, fifty (50) to one hundred (100) single-family detached dwellings, one hundred thousand (100,000) square feet to two hundred thousand (200,000) square feet of commercial space, two and one tenth (2.1) acres of civic uses and thirty-three and seven tenths (33.7) acres of park space. The ranges listed are in compliance with those required by Section 35.1-43.7. Permitted uses in traditional neighborhood developments.

- 8. Traffic and Parking.** The submitted TND plan indicates six (6) new connections to Greenview Drive and connection to two (2) existing stub streets at the northeastern side of the property. The intersection at Lighthouse Drive would be signalized and would be the main entrance into the development.

Based upon the high yield development scenarios proposed, the City's Traffic Engineer conducted a traffic study to determine the traffic impacts of the proposed development. The traffic study describes the existing conditions of Greenview Drive as: "Greenview Drive is currently a 2-lane facility with a rural cross section. The intersection of Greenview Drive and Leesville Road has three approaches with a through/right lane and a through/left lane. One approach, heading westbound, has a left-turn lane and one through/right lane. Current land uses consist of single family residential homes and a townhouse community off of Lighthouse Drive. On the study network, there is one signalized intersection at Leesville Road and Greenview Drive and one major unsignalized intersection at Lighthouse Drive and Greenview. The other signalized intersection is at Greenview Drive and Timberlake which is owned and maintained by the Virginia Department of Transportation (VDOT)".

The traffic study determined trip generation for the development using the Trip Generation Manual, 7th Edition. It was determined that the proposed development would generate ten thousand, two hundred fifty-seven (10,257) new daily trips and generate an additional nine hundred twenty-nine (929) trips during the "p.m." peak hour.

The traffic study concludes that the following improvements to Greenview Drive should be completed by the year 2009:

1. Add a left and right turn lane at all approaches to the intersection of Leesville Road and Greenview Drive.
2. Improve Greenview Drive to a four-lane boulevard facility. If Greenview Drive is not improved to four lanes left turn lanes should be added at all full access project driveways.
3. Add a signal at Lighthouse Drive and Greenview Drive.

One item of concern that has been expressed by neighboring residents is the two (2) proposed connections to the existing stub streets at the northeastern boundary of the proposed development. The primary reason for this concern is the idea that the proposed development will create a large amount of "cut thru" traffic in the Windsor Hills area.

Connections between neighborhood areas are a standard planning practice. These connections are important to enhance mobility and circulation. The importance of connectivity is discussed in the Urban Land Institute's [ULI] "Ten Principles for Growth on the Fringe". Within the document, the ULI highlights that "interconnected streets provide multiple access points and optional travel patterns" that ultimately reduce congestion. This concept is echoed within the City's own Midtown Plan that highlights how developments since the 1950's have been generally less connected and less walkable. These connections are important for two reasons. First, they provide a finer network of streets with grater options for automobile travel; this reduces the need for wider arterial streets by maximizing the alternative route choices. Second, the finer network of streets increases the walkability of the thoroughfare network by providing shorter routes for pedestrians and bicyclists.

Parking for the proposed development will be in the form of on street parking along the streets within the proposed development and off street parking lots as described within the submitted design guidelines.

- 9. Stormwater Management.** A stormwater management and erosion sediment control plan will be required for the proposed development. Since the project is in the "master planning" stage detailed design documents for stormwater management and erosion and sediment control have not been prepared. Stormwater management will most likely be addressed by the use of a retention pond integrated into the overall design of the TND. Stormwater management will be required to address quantity and quality of run off. Protection of Dreaming Creek should be easily obtained since it is well within the boundaries of the proposed park area.
- 10. Emergency Services.** Lynchburg Fire Department has reviewed the submitted Master Plan. The Fire Department has noted the need to insure that street widths are appropriate to facilitate emergency vehicle movement and fire hydrants are made available. These comments will be addressed through a

more detailed site plan review required prior to building permits being issued. The Fire Department does not foresee any need for additional stations or equipment based on the proposed development scenarios.

The Lynchburg Police Department commented that the development should provide adequate lighting and accessibility for police patrols. Design guidelines submitted for the development indicate adequate street lighting and TND principles address accessibility and other public safety issues.

- 11. Impact.** The project Developers, Planners and Engineers conducted an informational neighborhood meeting on April 25, 2006 at Tree of Life Ministries. The meeting was well attended by neighborhood residents, Planning Commissioners, City Council Members and City Staff. The Planning Division has also received numerous inquiries and concerns related to the proposed development.

The following is the overall theme of concerns expressed at the neighborhood meeting and citizen comments to Planning Staff:

1. The property should remain as “green space” or be developed entirely for single-family homes.
2. The proposed density of the development is too high.
3. The proposed connections to the two (2) existing stub streets will create “cut thru” traffic in the Windsor Hills Neighborhood.
4. The proposed development will create additional traffic on Greenview Drive.
5. The project will contain “low income” housing.
6. The proposed development will obstruct the view shed of the mountains.

The City's *Comprehensive Plan*, Future Land Use Map recommends a “Residential, Mixed Use” for the subject property and recommends it be developed as a Traditional Neighborhood Development with a mix of housing types of up to twelve (12) units per acre. The plan states that if a commercial area is requested it should be small at the neighborhood convenience scale. The submitted TND master plan indicates a high yield residential development of eight and one tenths (8.1) dwelling units per acre and indicates a core commercial area of seven and eight tenths percent (7.8%) of the net development area. The plan as submitted is in Compliance with the City's *Comprehensive Plan* and Future Land Use Map.

The Wooldridge Farm property is one (1) of the last remaining large tracts of land located within the City Limits as identified in the *Comprehensive Plan*. It is not likely that the area will remain as “green space” as the City continues to develop. The property could be developed “by right” under the R-1, Low-Density, Single-Family zoning with approximately two hundred fifty (250) single-family homes. As suggested in the *Comprehensive Plan* the City should make good use of these last remaining tracts of large land.

The proposed development will increase the amount of traffic on Greenview Drive. However, as noted in the Traffic Study, improvements to this road will be required with or without the proposed development. City Staff conducted an additional traffic study in the Windsor Hills neighborhood on April 17 and 18 during “a.m. and p.m.” peaks. The purpose of the study was to determine the amount of “cut thru” traffic that currently exists in the neighborhood. City Staff will be prepared to discuss the findings of this study at the Planning Commission meeting. It is important to note that if the property was developed as single-family homes as permitted by right, the connections to the stub streets could be made without any public hearing process. They would require approval from the City Council for dedication only.

While it is unlikely that the proposed development will contain “low income” housing, it is beyond the scope of the City's regulatory authority of zoning to prohibit it. This concern has probably arisen due to the rumor that an apartment complex in the Wyndhurst TND was funded by the Virginia Housing Development Authority (VHDA). In reality the Department of Housing and Urban Development (HUD) provides mortgage insurance for the apartments. Conversations with the property managers of the “Villas at Wyndhurst Ridge” indicate that these apartments will not be subsidized in any way.

While the submitted guidelines indicate that buildings within the core area will be a maximum of six (6) stories, due to the topography of the site, the view of the mountains should not be restricted from the properties where it currently exists.

Traditional Neighborhood Developments are permitted upon approval of a Conditional Use Permit (CUP) by the City Council. If approved the design guidelines and master plan essentially become the zoning for the subject property. The submitted guidelines are adequate to facilitate the development of the property into a well designed, functioning neighborhood. The design guidelines go far beyond any aesthetic control that could be regulated under the Zoning Ordinance.

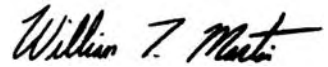
- 12. Technical Review Committee.** The Technical Review Committee (TRC) reviewed the master plan for the proposed TND on April 21, 2006. The TRC noted the need for minor revisions which have been addressed. Individual projects will be required to be reviewed by the specially created design review board for the Cornerstone TND and the TRC prior to any permits being issued.

VI. PLANNING DIVISION RECOMMEND MOTION:

BASED UPON THE PRECEEDING FINDINGS OF FACT THAT THE PLANNING COMMISSION RECCOMENDS APPROVAL OF THE CONDITIONAL USE PERMIT PETITION OF JBO, LLC FOR A TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) AT 1207 AND 1226 GREENVIEW DRIVE SUBJECT TO THE FOLLOWING CONDITIONS:

1. The property shall be developed in substantial compliance with the submitted master plan entitled "Cornerstone" Traditional Neighborhood Development dated April 24, 2006 and prepared by Sympoetica, Community Planners & Designers and Hurt & Proffitt, Inc., Engineers.
2. The property shall be developed in compliance with the Design, Landscaping & Screening and Architectural Guidelines for the Cornerstone TND dated April 12, 2006 and prepared by Sympoetica, Community Planners & Designers.
3. The following uses shall require the approval of a conditional use permit by the City Council before being allowed within the Cornerstone Development:
 - a. Veterinarian Hospitals with or without outdoor kennels
 - b. Care Centers, excluding day care centers
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 - d. Group Homes
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 - f. Community Swimming Pools
 - g. Commercial Recreation Establishments
 - h. Public or Community Recreational Facilities
4. Stormwater Management facilities will be integrated into the overall design of the development and design is subject to the approval of the City's Environmental Planner and the Cornerstone Design Review Board.
5. Water quality will be addressed thru a combination of Best Management Practices (BMP's) and low impact development standards. Design of water quality measures is subject to approval of the City's Environmental Planner and the Cornerstone Design Review Board.
6. All amenities in the area designated as park on the submitted master plan shall be the responsibility of the developer. All park areas shall be connected to the overall development by a series of trails and or sidewalks. All improvements are subject to approval by the Director of Parks and Recreation.

This matter is respectfully offered for your consideration.

A handwritten signature in black ink that reads "William T. Martin". The signature is written in a cursive style with a prominent "W" and "M".

William T. Martin, AICP
City Planner

VII. ATTACHMENTS

1. Vicinity Zoning Pattern
2. Vicinity Proposed Land Use
3. Site Plan
4. Design Guidelines
5. Traffic Study
6. Citizen Comments

MINUTES FROM THE MAY 24, 2006 PLANNING COMMISSION MEETING. THESE MINUTES HAVE BEEN REVIEWED BUT NOT APPROVED BY THE COMMISSION.

Petition of JBO, LLC for a conditional use permit at 1207 and 1226 Greenview Drive to allow the construction of a Traditional Neighborhood Development (TND) on a tract of approximately one hundred twenty three (123) acres in an R-1, Single-Family Residential District and R-C, Conservation District. The submitted master plan and design guidelines propose the creation of a new mixed use community including a commercial core, multi-family housing, single-family attached housing, single-family detached housing, park areas, civic uses, and open space. The Mast Plan indicated six new roads connecting to Greenview Drive and the connection to two existing stub streets at the northeastern portion of the property.

Mr. Martin explained to the Planning Commission that the petition was in compliance with the Comprehensive Plan and the Future Land Use Map, which recommended a Traditional Neighborhood Development for the property with densities of up to twelve (12) units per acre. He added that the Zoning Ordinance actually allowed a density of up to twenty-five (25) units per acre. He explained that the petitioner chose to comply with the Comprehensive Plan because it recommended a lower density. He stated that the Design Review Board (DRB) held a meeting on the proposed development on April 26, 2006, and they attended a tour of the property on May 2, 2006. He said that the purpose of the Design Review Board review was to determine if the proposed project met eight (8) objectives as outlined in the Zoning Ordinance. He said that the Design Review Board reviewed the project in depth and determined that the project met those objectives and recommended approval of the project. He added that no variances would be needed for the project as proposed. He also said that the City's Traffic Engineer conducted a traffic study of Greenview Drive and the effects that the new development would have on it. He also explained that the Planning and Engineering Staff conducted a license plate survey in the Windsor Hills neighborhood to determine if there was a cut through problem and that the results would be distributed if the Planning Commission deemed it appropriate. He concluded by saying that the Planning Division recommended approval of the petition.

Barry Carpenter of Sympoetica represented Cornerstone, the proposed Traditional Neighborhood Development. Mr. Carpenter introduced his partner, Phoebe Kibly, the developers, Mark Borel and Jeff Allen, and the engineer, Doyle Allen from Hurt and Proffitt. He said that the City's Comprehensive Plan recommended the area as mixed use and primarily residential, and noted that the Comprehensive Plan recommended the Traditional Neighborhood Development for that land area. He explained the different design principles for a TND, which included having a mixed-use core that would allow residents to work, shop, and recreate within the neighborhood. He also said that there would be a connected sidewalk and path system both internally and externally, providing alternate pedestrian, bicycle, and vehicular transportation routes. Mr. Carpenter noted that a TND should invite transit through connectivity and streetscape design and by achieving a density that would attract transit. He also said that it should provide a system of parks, open space, civic, public, and institutional uses that would create a high-quality of life and a civic identity. He noted that Dreaming Creek was a major environmental element that would be used as a stream valley conservation area. He described the plan by first explaining that the core area had the mix of uses of commercial, office, and entertainment. He explained that, like Wyndhurst, the buildings would front the street and parking would be hidden in the back, and added that the area had a quarter-mile block radius, which was about a five-minute walk. Mr. Carpenter suggested that there would be a high degree of walkability, since the whole street system would have sidewalks on at least one side of the street. He added that the major entry point would be on Cornerstone Drive at Lighthouse Drive. He said that there would be a minimum of twenty-five (25) feet of a buffer area between Cornerstone and the existing neighborhood, with an undulating width that would make those areas much more compact and that would add more green space. He said a series of design guidelines had been met, which gave the City much more control over very detailed design elements. He said that the land area was one hundred thirteen (113) acres, with net development acreage of 95.6 acres. He said that twenty six (26) to twenty seven (27) percent of the area would be residential, fifteen and seven tenths (15.7) percent would be the core area, two and one tenth (2.1) percent would be civic area, and that parks and other space would be over thirty-five (35) percent. Mr. Carpenter compared Cornerstone's plan to Wyndhurst, explaining that the plan would be primarily residential, with less commercial than Wyndhurst. He added that the City had done a traffic study on Greenview Drive, and recommended that the road be upgraded to four lanes, and added that the City was trying to get transit service to the area. He said that the public had voiced their concerns about draining in the neighborhood area, and that he was looking to fix the problems as the plan moved forward. He explained that this was a very brief summary, and he offered to answer any questions that the Planning Commission had.

Mr. Rick Boyer, a resident of 252 Homewood Drive and a representative from the Campbell County Board of Supervisors, said that he was happy to hear that the City was looking to expand Greenview Drive and to add a stoplight at Lighthouse Drive. He said that he was concerned with the four-way interchange at Airport Road, Greenview Drive, and Leesville Road. He explained that there was no right turning lane in any of those directions, and wanted to know if an amendment could be added to the plan to add some right turning lanes at that intersection.

Mr. Gerry Swienton, 1131 Moreview Drive, represented some of the residents from the Moreview area. He said that the two sub street connectors should either be connected to each other or not constructed at all. He explained that since all of the units would not be single-family homes, the residents in his neighborhood were concerned about the traffic issues that may be caused as it would be faster to travel on the sub street connectors. He said that residents of Cornerstone might attempt to bypass stoplights and use the existing neighborhood as a cut through. Mr. Swienton told the Commission that their neighborhood was built primarily towards Campbell County as a residential, low-density neighborhood. He pointed out that the streets were twenty-one (21) feet wide, and that the edge area as presented in the design guidelines for Cornerstone showed twenty-two (22) foot wide streets, eight (8) feet for parallel parking, and nine and twenty-five one hundreds (9.25) feet for sidewalks. He said that the roads in the Moreview neighborhood were not designed to handle the residential use of pedestrian and high-volume traffic. Mr. Swienton explained a petition to the Planning Commission that was carried out in their neighborhood. He said that the petition simply asked whether people supported or opposed the future stub street connections. He told the Commission that one hundred fifty two (152) residents signed the petition in opposition to the connection and one (1) resident signed it in support of the connection. He added that an overwhelming number of residents wanted the stub connector to be closed, as they would rather have safer, less traveled roads, and had decided to give up the right to access the Cornerstone development in order to keep those stubs closed and to keep traffic down. Mr. Swienton explained that the residents of the neighborhood would like the first row of houses in Cornerstone to be constructed of brick façades. He added that the existing neighborhood was primarily built of high-quality brick and that this would help to preserve the integrity of their neighborhood. He then remarked that the proposed buffer would be twenty-five (25) feet, which, they did not think was far enough. He suggested that the buffer be either a medium-density or a high-density vegetative buffer.

Chair Hamilton asked that everyone in the audience who felt as if Mr. Swienton spoke for what they believed in would please stand.

Over forty (40) people stood in opposition of the petition.

Mr. Albert Billingsly, 1115 Moreview Drive, spoke in opposition to the petition. Mr. Billingsly compared the Cornerstone proposal with Wyndhurst. He pointed out that Wyndhurst had two hundred thirty-six (236) detached, single-family homes, and Cornerstone was proposed to have a range of fifty (50) to one hundred (100) single-family homes. He added that Wyndhurst had two hundred fifty-six (256) townhouses, while Cornerstone was proposed to have a range of two hundred (200) to three hundred (300), which was very similar. Mr. Billingsly noted that Wyndhurst had two hundred eighteen (218) multi-family homes, while Cornerstone was proposed to have a range of four hundred (400) to six hundred (600). He continued by saying that Cornerstone would most likely have one and one half (1.5) times as many people as Wyndhurst in approximately the same area. He told the Commission that the residents would like them to reconsider the proposal and to try to make the development more similar to Wyndhurst.

Ms. Sharon Twinkle, 111 Hunterdale Drive, spoke in opposition to the petition. Ms. Twinkle explained to the Commission that she previously went to the meeting at the Tree of Life Ministries because she believed in progress for the community. She added that Cornerstone was proposed to have about sixty (60) percent of their residential buildings be multi-family homes that may be six (6) stories tall. She said that the amount of multi-family homes would create an area that would be too dense, and that opening the traffic to Hunterdale Drive was also an issue.

Doctor Michael Millis, 109 Hunterdale Drive, spoke in opposition to the petition. Mr. Mills said that the Greenvue Drive traffic study was not accurate because it did not take all of the surrounding areas into consideration. He pointed out that there were about eleven thousand (11,000) daily vehicular trips down Greenvue Drive. He noted that if ten (10) percent of those drivers figured out what Mr. Swienton discovered about the ease of the cut through, then there would be about one thousand (1,000) extra trips a day down Hunterdale Drive. He added that the road was too narrow to handle that sort of traffic and that it would cause a problem. Mr. Mills said that the Cornerstone development seemed to be too high density, and that he had concerns about the character of the development.

Mr. Joseph Supeta, 1133 Moreview Drive, spoke in opposition to the petition. Mr. Supeta told the Commission that he was concerned about the environmental impact of Cornerstone during and after construction. He said he believed that there would be a large amount of airborne dust that may be carried into Windsor Hills, because the homes on Moreview Drive were downwind of where Cornerstone would be located. He added that he was also concerned about the noise pollution that may pass through the neighborhood. He noted that the project developer previously told him at a public meeting that he would spray water to reduce the dust hazard, which, in Mr. Supeta's opinion, would be insufficient. Mr. Supeta asked the Commission to address some of the means that could be used to ensure the health and welfare of those living near the construction area in order to protect them from the dust. He added that if Cornerstone were a commercial project, there would be restrictions by code that specified buffer zones. He explained

that even though Cornerstone was considered to be a TND, it should be treated as a commercial development so that the buffer zone may be larger.

Mr. Dwight Weaver, 1125 Moreview Drive, spoke in opposition to the petition. Mr. Weaver said that residents of Moreview Drive would have a horrible view of Cornerstone from their homes. He added that the business section of Cornerstone was allowed to go up to six (6) stories and that it would be about two hundred (200) feet from the backyard property line of Moreview Drive. He suggested that the business section of Cornerstone be moved to Greenview Drive, so that the businesses would greatly benefit from the drive by traffic.

Ms. Lynn Watson, 1409 Greenview Drive, spoke in opposition to the petition and represented four (4) other homeowners. She explained that Greenview Drive was supposed to be primarily residential, and that she and her neighbors were concerned about the commercial development of Cornerstone. She explained that the view from her home of the Blue Ridge Mountains was beautiful. Ms. Watson asked the Commission to consider limiting the height of the buildings.

Mr. Jeff Pultz, 201 Hunterdale Drive, spoke in opposition of the petition. He said that during the traffic study that was conducted, Old Graves Mill Road was closed; therefore, the study was not accurate. Mr. Pultz added that he was a Driver Education teacher and that his students were aware of the cut through and used it to their advantage.

Ms. Judy Lariviere, 1141 Moreview Drive, spoke in opposition to the petition. Ms. Lariviere stated that the neighborhood opposed the TND. She said that she was told that students would primarily occupy the residential homes in Cornerstone, and that she was concerned about the density issues that would be caused. She added that outdoor kennels had been shown on the plan, but that at the Tree of Life meeting, residents were told that there would be no outdoor kennels in Cornerstone. Ms. Lariviere also mentioned that the traffic study did not include the Farm Fresh development that was being developed on Leesville Road.

Mr. Alan Schmeltz, 1127 Moreview Drive, spoke in opposition to the petition. Mr. Schmeltz explained to the Commission that there was much opposition to the TND, and he invited them to visit the neighborhood before they made a final decision.

Ms. Betsy Weaver, 1125 Moreview Drive, spoke in opposition to the petition. She told the Commission that the residents of the Moreview area would like to preserve their neighborhood and that they were afraid that Cornerstone might spoil the integrity. She also asked why Cornerstone needed eight (8) entrances, as opposed to the six (6) planned entrances. She said that Wyndhurst only had two (2) entrances. She added that the density might be too high.

Ms. Drema Fritts, 113 Kenbridge Place, spoke in opposition to the petition. Ms. Fritts noted that Lynchburg City had been ranked as the forty-second (42) smartest place to live by Kipler's Magazine. She added that she had never seen a TND that was mostly residential. She said that the plan for Cornerstone gave her a large apartment complex feel with a sprinkling of single-family homes and a sprinkling of commercial. She also mentioned that a right turning lane off of Airport Road would cause people to make a right onto Moreview and therefore increase the cut through. Ms. Fritts said that the traffic study was conducted on a Wednesday and a Thursday, which were probably the slowest days of the week.

Mr. Borel gave a rebuttal to the Planning Commission. He said that when the project was initially present to him, he looked at the Comprehensive Plan in order to make sure that the area was proposed to be a TND. He added that he used Hurt and Proffitt because they had worked on Wyndhurst and because they had done all of his design and development work for the last thirty- (30) years. He continued by saying that he went to Sympoetica, the firm that wrote the original TND ordinance for the City, and that he wanted to create the perfect TND by meeting all of the guidelines and the eight (8) criteria of the Design Review Board. Mr. Borel explained that he wanted to design a community that met the city's needs, and thought that the connectivity of Cornerstone was appropriate. He added that he was there to keep the citizens happy, as well as the residents of Moreview happy. He said that he was there to promote the spirit of the development and the expertise of the builders and the developers that would be doing the work.

Mr. Swinton gave a rebuttal. Mr. Swinton explained that he had confidence that all of the codes and requirements had been met. He asked if the identity of one neighborhood should be altered, sacrificed, or negated for the development of a new neighborhood. He asked the Planning Commission to consider the preservation of the Moreview neighborhood.

Commissioner Barnes said that there were a number of good things about the TND, but that there were three primary concerns. He explained that the first issue was traffic safety and cut throughs. He said that he understood that the traffic was supposed to be disbursed, but funneling traffic into the Moreview neighborhood would not be good. He noted that there were no sidewalks, curbs, or gutters, in the Moreview neighborhood, and suggested that one option would be to open connections to pedestrian and bicycle traffic only, but preserve right-of-way for possible future vehicle access.

Mr. Martin explained to the Commission that staff from Community Planning had conducted a license plate survey at the three existing connections. He explained that two (2) of those connections were at Timberlake Road and that one (1) was at Leesville Road. He continued by saying that a person was placed at the entrances of Moreview Drive, Dreaming Creek Drive, and Oakmont Place. He said that the person recorded the last four digits of the license plates as they entered and left the streets and the time that it occurred. He added that the survey was conducted on a Wednesday and a Thursday during the AM and PM peak travel times. Mr. Martin gave the results of the survey explaining that during the AM peak (the hours between seven (7) and nine (9) o'clock), one hundred forty six (146) cars were observed, and nineteen (19) of those were cut through for a total of thirteen (13) percent. He said that during the PM peak (the hours between four (4) and six (6) o'clock), two hundred twenty (220) cars were observed, and forty-two (42) of those were cut through for a total of nineteen (19) percent. He added that there was no denying that there was cut through traffic in the neighborhood after viewing the results of the survey. He said that the survey was based on license plates, and that there were no observations made for speed.

Commissioner Sale asked if there was any way to figure out how serious the cut through may be on the stub streets for Cornerstone.

Mr. Martin said that the City would have to look at traffic conditions on the residential streets. He explained that he did not know the effect that improving Greenview Drive would have on the cut through issue. He added that the street did not have sidewalks, curbs, or gutters, and that the City needed to look at what the issues were in order to improve the traffic in the area.

Commissioner Sale asked how the cut through in Windsor Hills might be extrapolated.

Chair Hamilton asked what would happen to Greenview Drive.

Mr. Gerry Harter, Traffic Engineer for the City, addressed the Planning Commission. He said that Greenview Drive and Leesville Road did not operate well and that improvements were needed immediately in order to improve efficiency throughout that intersection. He explained that the City would construct left and right turn lanes at all approaches at that intersection. He added that the improvements were significantly expensive and that by 2020 there would need to be four (4) lanes on Greenview Drive, regardless of Cornerstone. Mr. Harter added that the City was currently coordinating with Campbell County and VDOT to do a more comprehensive study at the entire stretch of road. He noted that the study only looked at the impacts to the City, and VDOT was looking at everything in terms of the impact to Timberlake Road and Leesville Road. He explained that in the 1950s and 60s, when the American Association of State Highway Officials came up with the local collector and arterial street system, it worked well for about twenty (20) years. He said that there was then a breakdown of the local grid system, and residents were forced to travel on the arterial roads in order to get to their neighboring developments. Mr. Harter explained that the traffic that formed on the arterial system caused people to look for easier and faster cut throughs. He said that there were three (3) ways to get from Leesville Road to Timberlake Road, and Greenview Drive was one of them. He stated that more access was better than less access, but no street wanted to be the first street to be used for cut through. He said that arterials would be less clogged if there were more access points and that Moreview Drive would not be used as a cut through. Mr. Harter told the Commission that the City needed to figure out the fiscal portion of their timeline before the actual study could begin.

Commissioner Sale asked if there was any way to estimate traffic flow in the area.

Mr. Harter said that it was a fairly difficult question to answer and that there were models that he could use, but the models were elaborate and would only give a fifty/fifty answer. He said that the amount of cut through also depended on whether any traffic calming at the connections was enforced.

Commissioner Flint asked if there were any other options for the stub street connectors. He suggested that they might be used for pedestrians and emergency vehicles only, or that they be one-way streets.

Mr. Harter said that it was possible to have one street flow into Cornerstone and the other flow out of Cornerstone. He said that might eliminate some of the potential for cut through. He noted that the staff suggested that they try the

different options, and if the options did not work, then they could close the streets. He said that it would be very expensive to do so, but it might have to be done. Mr. Harter commented that he liked the idea of pedestrian and bike access since the new development would have a pedestrian-friendly environment.

Chair Hamilton asked if there would be emergency access whether the stub streets were open or closed.

Mr. Harter said that more access was better than less for emergency vehicles. He said that he had not spoken to the EMS about where they would enter the development.

Mr. Martin said that both the fire department and the police department had reviewed the site plan for the TND and keeping the stub streets closed was never an issue.

Commissioner Sale said that the issue of connectivity concerned more than just the streets. He said that the stub streets seemed to close off the two neighborhoods from each other. He noted that the long-range issue was how the two neighborhoods would live peacefully together.

Mr. Carpenter said that the grid pattern gave people tremendous options for many different reasons, and that it was the traditional patterns that neighborhoods were based on since the 1920s. He added that Cornerstone was designed for transportation to circulate within the community, and that the upgrade of Greenview Drive would allow the community to directly access the arterial. He commented that there might be some hybrid connections that needed to be looked at.

Mr. Doyle Allen, Hurt and Proffitt, addressed the issue from an engineering perspective. Mr. Allen said that most jurisdictions in Central Virginia had ordinances or requirements to provide access into adjoining properties. He said that, as an engineer, those stub streets were absolutely needed, but told the Planning Commission that it was their decision as to whether there would be connectors or not.

Mr. Carpenter said that the lack of connectivity in some of the older designs from the 1960s and 70s put more pressure on the arterial streets. He noted that the City needed to avoid that lack of connectivity. He said that the needs of the existing situation needed to be balanced against the broader goal.

Commissioner Bacon said that the transitional row of residencies should be changed to single-family residential. She also stated that the large number of multi-family residencies was not needed in Cornerstone. She said that if the developers wanted more middle-class, low-income people to move into the city, then those people needed to be offered more than a small number of single-family residencies. She said that ninety (90) percent multi-family homes in one area were not reasonable in Lynchburg, and added that the developer needed to give serious thought to more single-family developments.

Commissioner Worthington agreed with Commissioner Bacon's comments but he did not agree with the large amount of rented and the small amount of owned property that was projected for Cornerstone.

Mr. Borel said there was a shift in types of housing in the last few years in response to the customer base. He said that the multi-family residencies would be either townhouses or single-family attached homes (including condominiums). He said that those residencies were owner occupied and that Cornerstone was not a big rental project by any means. He said that there was also a need for apartments for people who could not afford homes and that Cornerstone would meet that need. He said that people were currently searching for maintenance-free homes in planning communities.

Commissioner Worthington asked what percentage of the residential areas would be rented and what percentage would be owned after Cornerstone was actually built.

Mr. Borel said that about seventy-five (75) percent would be owned and about twenty-five (25) percent would be rented.

Chair Hamilton asked what the average number of units would be in Cornerstone.

Mr. Borel said that at this point, they were at ten (10) units per acre, which would be a low-density project. He said that the essence of the neighborhood was high density, which was what the Comprehensive Plan asked for and was what would sell. He said that Greenview Drive was bad, but that it was not the developer's fault. He said that they were trying to deal with it in the best possible way. He said that, in reality, the development would fix a lot of the problems that they did not create.

Chair Hamilton asked about the brick façade that may be used on the first row of houses in Cornerstone.

Mr. Borel said this would not be a competition as to whose neighborhood was better. He said that the property lines would be twenty-five (25) feet apart, not the actual houses. He said that there would not be as much single-family housing in Cornerstone as Wyndhurst, but there would also not be as much commercial in Cornerstone as Wyndhurst.

Mr. Allen commented that Cornerstone would not be a bunch of apartments.

Mr. Borel said that the tallest buildings in Cornerstone would be on the lowest topographic land. He said that the townhouses that would be nearest to the older neighborhood would be owner-occupied.

Commissioner Sale said that there was a lot of leeway left in the guidelines. He asked what the purpose of the Cornerstone Design Review Committee (CDRC) was.

Mr. Borel said that CDRC would decide whether the design met all of the guidelines. He said that the design must go through a monitoring committee before it could be finalized and before anything could be built. He said that nothing could be done in the TND without being approved, which would protect the future of the neighborhood. He said that the committee was made up of a group of experts who were not emotionally attached to the community. He said that the design guidelines were very strict and that the TND guidelines were the strictest of any zoning guidelines.

Commissioner Barnes said that everything in the Cornerstone project look like a nostalgic nineteenth (19th) century town that began to look like Disneyland's Main Street. He added that in a TND the concern should be the relationship of the buildings with each other, the walkability, and the human scale of the facility. He asked why the plan had architectural and vegetative guidelines instead of having more diversity. Commissioner Barnes said that he supported the idea of a TND and that the senses of community, connectivity, and conservation were great.

Mr. Martin explained that it was the intent of the TND to provide opportunities for the creation of new neighborhoods designed along the traditions of small town and urban neighborhood development prevalent in the United States from Colonial times until the 1940s. He said that if the design standards were relaxed, the buildings and development would not relate to one another in any way. He said that the TND design guidelines were stricter than those of a historic district, and added that in order to create a TND, each aspect of the plan needed to go through numerous approval stages with the DRB and the City's Technical Review Committee (TRC). He said in this case, that the developers were putting the restrictions on themselves.

Chair Hamilton said that the range of density and the range of height were huge. She said that six-story buildings would block the views of residents of Windsor Hills. She asked about the number of distinct types of residential developments, including single-family, multi-family, and townhouses. She asked if there was a way for the developer to ensure that the buildings would not be built taller than the residents of Windsor Hills wanted.

Mr. Borel said that it was as ensured as it could be with the guideline criteria, and commented that the builders had to go through the DRB process. He added that he had already lowered the height of the apartments and could not lower them any more. He said that the developers spent a lot of time listening to the neighbors and their concerns and looking at how to buffer the neighborhood from Cornerstone.

Commissioner Worthington said that he sensed that the apartments would be the biggest bone of contention concerning the development, and added that the maximum height of the buildings would most likely be met.

Mr. Borel said that a building had to have an elevator if it was more than three (3) stories tall, according to City Inspections. He said that buying an elevator was so expensive that the building would need to be as tall as possible in order to obtain a profit. He said that the apartments would be built in the lowest areas on the site, which was the best that they could do.

Commissioner Barnes commented that traffic and safety issue were paramount. He said that without sidewalks in the Windsor Hills neighborhood, opening connections to the new development would be a bad idea.

Commissioner Oglesby said that the traffic issue on Moreview was a problem, and that people loved the neighborhood because it was quiet and peaceful. She also added that the costs of housing would need to be lowered if no one wanted to buy the rental houses. Commissioner Oglesby said that more single-family homes would be more pleasing in the area than townhouses.

Mr. Borel said that the developers could never make everyone happy. He said that the developers were participating in the cost of road improvements on Greenview and explained that they were putting money into the project to improve infrastructure outside of their building arena. He also said that Cornerstone would not be a rental neighborhood and that the nice greenspace and the nice houses would attract new residents. He noted that thirty-five (35) acres of the project were reserved for a park and that residents on Moreview would probably want to use the park and added that they would be welcomed to do so.

Mr. Martin told the Commission that the condominiums in Cornerstone would be owner occupied, and were included in the multi-family numbers, which made the ratio more inviting. He said that since the petition was for a conditional use permit, the Planning Commission could invoke conditions as it deemed necessary. He noted that the connections to the stub streets were important for the City's long-term objectives so that any future growth would be easier. He said if the connections to the stub streets were not made now, and the City decided in twenty (20) or thirty- (30) years that they wanted to make those connections, they would not be able to do so. Mr. Martin said that at a minimum, bike trails and walking trails needed to be provided. He said that if the master plan were approved, it would only approve the concept that a TND could be placed on the property, and explained that nothing would start immediately. He said that each development would have to go through the Cornerstone Design Review Committee to make sure that the objectives of the TND ordinance and the design guidelines were being met. He told the Commission that the development plans would then go through the TRC meeting and be looked at in more detail. Mr. Martin said that if it passed the guidelines, the building permit would then be granted.

Commissioner Barnes proposed an amendment that would be added to the Planning Commission's motion to Council. He said that access from the stub street should be pedestrian and bicycle only and that the fifty (50) foot right-of-way should be preserved for potential future vehicular activity.

Commissioner Sale seconded the amendment.

Commissioner Flint said that there should be full connectivity instead of making the neighborhoods into islands.

Commissioner Sale said that it was not good for the neighborhoods to turn their backs on one another. He said that maintaining the right-of-way option gave the City more flexibility to open the roads to vehicular access in the future. He said that if the stub streets were connected, there would be no safe streets to walk on.

Commissioner Barnes said that he saw the connectivity as a safety issue, not a political issue. He said the he did not think the neighborhoods would support the traffic congestion.

Chair Hamilton said she did not want to see the cut through problem happen to the neighborhood. She said that preserving the right-of-way would create additional buffers between the neighborhoods. She added that she was still concerned about the height of the buildings and added that she would like to see the building requirements go from six (6) stories to five (5) stories.

Mr. Borel said that he thought that six (6) stories was a good compromise and that it worked economically. He pointed out that the apartment buildings would be in the back of the development and the top of these buildings would be forty (40) feet below the roof line of the most visible part of the development. He said that the development had less density, less height, and more greenspace than required by the City's Comprehensive Plan.

Commissioner Sale said that the developers were working well within the Comprehensive Plan and that they were doing the best they could with the topography and the economics that they were dealing with. He said that the amount of greenspace was great and that he thought it would be an asset to Windsor Hills.

Commissioner Oglesby said that she would like to see sufficient planning for the last bit of land in Lynchburg. She said that she would like to give the planning a little more time. She noted that the cost of living and the cost of materials were going up.

Commissioner Flint said that the proposal and the amendment would take away the largest concern of the traffic. He said that Cornerstone would be an asset to the present neighborhood.

Commissioner Worthington said that he initially thought that the Cornerstone plan was too dense. He added that he now thought that the development plan was as good as it could get. He said that having the tall buildings on the lowest land was smart. He said that the connectivity and the unhappy neighbors would have to be dealt with at a later time.

Commissioner Bacon said that she was still concerned about the density. She said that she would like to have that issue of the multi-family housing addressed.

Commissioner Barnes said that he initially loved the plan, but that he was still concerned about the higher density on the edges of the neighborhood. He said that he thought the developers did a wonderful job laying out the site, but added that the connectivity was the biggest issue.

Chair Hamilton said that she wished that the developers had brought a few more compromises to the table. She added that the developers had done an excellent job planning the mixed- use development, and added that it was environmentally and visually appropriate. She said that she knew the market would drive the success of the multi-family homes. Chair Hamilton added that Windsor Hills could not handle any more traffic.

After further discussion, Commissioner Barnes made the following motion, which was seconded by Commissioner Worthington and passed by the following vote:

"That the Planning Commission recommends approval of the Conditional Use Permit petition of JBO, LLC for a Traditional Neighborhood Development (TND) at 1207 and 1226 Greenview Drive subject to the following conditions:

8. The property shall be developed in substantial compliance with the submitted master plan entitled "Cornerstone" Traditional Neighborhood Development dated April 24, 2006 and prepared by Sympoetica, Community Planners & Designers and Hurt & Proffitt, Inc., Engineers.
9. The property shall be developed in compliance with the Design, Landscaping & Screening and Architectural Guidelines for the Cornerstone TND dated April 12, 2006 and prepared by Sympoetica, Community Planners & Designers.
10. The following uses shall require the approval of a conditional use permit by the City Council before being allowed within the Cornerstone Development:
 - a. Veterinarian Hospitals with or without outdoor kennels
 - b. Care Centers, excluding day care centers
 - c. Churches or other places of worship
 - d. Group Homes
 - e. Nursing Homes or Assisted Living Facilities
 - f. Community Swimming Pools
 - g. Commercial Recreation Establishments
 - h. Public or Community Recreational Facilities
11. Stormwater Management facilities will be integrated into the overall design of the development and design is subject to the approval of the City's Environmental Planner and the Cornerstone Design Review Board.
12. Water quality will be addressed thru a combination of Best Management Practices (BMP's) and low impact development standards. Design of water quality measures is subject to approval of the City's Environmental Planner and the Cornerstone Design Review Board.
13. All amenities in the area designated as park on the submitted master plan shall be the responsibility of the developer. All park areas shall be connected to the overall development by a series of trails and or sidewalks. All improvements are subject to approval by the Director of Parks and Recreation.
7. Bicycle and pedestrian connections to Hunterdale Drive and the unnamed stub street located at the northeastern portion of the property shall be made. Right of Way will be reserved for future vehicle access when determined appropriate by the City."

AYES:	Bacon, Barnes, Flint, Hamilton, Sale, Worthington	6
NOES:	Oglesby	1
ABSTENTIONS:		0
ABSTEN:		0